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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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SANDRA LEMONIER, individually and on behalf of
her minor children, J.B. and J.M, and BILLY
MALDONADO, JR.,

Plaintiffs,

-against-

CITY OF NEW YORK and POLICE OFFICER
LEONARD CLARKE, SHIELD NO. 27183,

Defendants.

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NICHOLAS G. GARAUFIS, United States District Judge.

ORDER

18-CV-1888 (NGG) (JO)

Plaintiffs Sandra Lemonier, individually and on behalf of her minor children J.B. and J.M, and Billy Maldonado, Jr., bring this 42 U.S.C. § 1983 action against the City of New York and Officer Leonard Clarke. (Compl. (Dkt. 1).) After reaching an amicable settlement agreement, the parties submitted the agreement and a proposed infant compromise order for court review and approval. (Mot. for Settlement Approval (Dkt. 26).)

On January 3, 2019, the undersigned referred review and approval of the settlement and infant compromise order to Magistrate Judge James Orenstein for a Report and Recommendation ("R&R"). (Jan. 3, 2019 Order.) After conducting further proceedings, Judge Orenstein issued an R&R concluding, pursuant to Loc. Civ. R. 83.2(a), that the settlement and compromise are fair and reasonable. (Aug. 26, 2019 R&R). Judge Orenstein recommended the court grant the parties' motion for settlement approval and approve the proposed order of compromise. (Id.)


On August 27, 2019, Plaintiffs' counsel filed a letter stating that neither Plaintiffs nor Defendants have any objections to Judge Orenstein's R&R. (Letter Mot. for Approval of Infant Compromise (Dkt. 31).) The parties jointly requested that the court adopt the R&R and approve the pending motion. (Id.)

Based on the parties' representation that they have no objection to the R&R, the court reviews the R&R for clear error. See, e.g., Charlot v. Ecolab, Inc., 97 F. Supp. 3d 40, 46-47 (E.D.N.Y. 2015); La Torres v. Walker, 216 F. Supp. 2d 157, 159 (S.D.N.Y. 2000).

Having found no clear error, the court ADOPTS IN FULL the R&R. Plaintiffs' (Dkt. 26) motion for approval of settlement and infant compromise is GRANTED, and the parties are DIRECTED to file a stipulation of discontinuance.

SO ORDERED.

Dated: Brooklyn, New York
August 29, 2019


S/ Nicholas G. Garaufis
NICHOLAS G. GARAUFIS
United States District Judge